

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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In re: :
: Case No. 23-90147-H2-7
MOUNTAIN EXPESS OIL COMPANY, et al.¹ :
: (Chapter 7)
: Debtors. : Jointly Administered
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**DECLARATION OF DISINTERESTEDNESS
OF MICHAEL L. NEWSOM**

I, Michael L. Newsom, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true to the best of my knowledge, information, and belief:

Background

1. I am the Managing Member of National Creditor Recovery Services, LLC (“NCRS”). I submit this declaration in support of the application of Janet S. Northrup, in her capacity as chapter 7 trustee in the above jointly administered cases, to retain Lori Lapin Jones PLLC as a Fee Consultant and Reviewer (“Fee Reviewer”). NCRS would be serving as Database Service Provider to the Fee Reviewer.

1. I have a bachelor’s degree in chemical engineering and a master’s degree in business administration. I have worked as a financial analyst in the field of Bankruptcy Administration for approximately 22 years. I am now the managing member and sole owner of National CRS, LLC. I have worked as an analyst for debtors and creditors, and I served in the capacity of Liquidating Trustee and Interim CFO.

2. Among other services, I have served as a Database Service Provider, to the Independent Fee Examiner in the chapter 11 cases of Voyager Digital Holdings, Inc. *et al* (Case No. 22-10943 MEW) (S.D.N.Y.) and Aearo Technologies, LLC, *et al* (Case No. Case No. 22-02890 (JJG) (S.D. IN). I am currently serving as an IT Consultant to the Fee Examiner in the chapter 11 case of Kidde-Fenwal, Inc. (Case No. 23-10638 LSS) (D. Del).

Disinterestedness

3. I submit this Declaration to establish that I am a “disinterested person” as that term is defined in 11 U.S.C. § 101(14) (“Bankruptcy Code”) to serve as a database service provider (“Database Service Provider”) to the Fee Reviewer in the jointly administered chapter 7 cases of

¹ A complete list of each of the Debtors in these Chapter 7 cases may be obtained on the Court’s website at www.ecf.txsb.uscourts.gov. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in these Chapter 7 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

Mountain Express Oil Company, *et al.* (collectively “Debtors”). Unless otherwise stated, I have personal knowledge of the facts set forth herein.

4. I have reviewed the attached list of professionals (“Professionals”) who were retained in these cases, the docket in the Debtors’ cases, the potential parties-in-interest list [ECF No. 281-1], and the Master Service List [ECF No. 1233].

5. With respect to my “disinterestedness” under Section 101(14) of the Bankruptcy Code, I provide the following information:

- a. I am not, nor have been, during the pendency of the Debtors’ cases, a creditor, equity security holder or insider of any of the Debtors.
- b. I am not, nor have been, a director, officer, or employee of any of the Debtors.
- c. I do not have an interest materially adverse to the interests of the bankruptcy estates or any class of creditors or equity security holders by reason of any direct or indirect relationship to, connection with, or interest in, any of the Debtors.
- d. I am not a relative of the chapter 7 Trustee, any Bankruptcy Judge of the United States Bankruptcy Court for the Southern District of Texas, or the United States Trustee for Region 6.
- e. I have not and do not represent the Debtors or their affiliates, if any. I have not and do not represent any party in interest in connection with the Debtors’ chapter 11 cases. Except as set forth below, I do not have any connection with any of the Professionals or other parties-in-interest or their respective attorneys, financial consultants, or accountants that are reflected on the Court’s docket.
 - i. In my past, current or future roles of financial analyst or consultant to a debtor or creditors’ committee, post-confirmation trustee, consultant to a fee examiner, or consultant in other cases, I may have had and may in the future have interactions and connections with parties-in-interest and professionals retained by parties-in-interest, but any such interactions and connections would be in cases unrelated to the Debtors’ cases.

Engagement

6. My engagement will entail downloading the time records of the Professionals into proprietary software and performing related work that will facilitate the Fee Reviewer’s review of the fee applications. The ability for me to perform my work shall be dependent on the chapter 11 Professionals providing me their time records in Excel or LEDES format.

Compensation

7. My hourly rate is \$300.00. I have agreed to a discount and will charge the estates an hourly rate of \$275.00 for my services plus out-of-pocket disbursements. It is anticipated that

my out-of-pocket disbursements will include, if any, the costs of obtaining records from PACER.


8. As set forth above, my compensation is on an hourly basis and will not be tied to or dependent upon any reductions recommended or achieved.

9. Except as permitted under Section 504 of the Bankruptcy Code, I will not share any compensation or reimbursement received in connection with these chapter 11 cases with another person.

10. If I discover any facts materially bearing on the matters described herein, I will supplement the information contained in this Declaration.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 27 day of November 2023


Michael L. Newsom

Professionals

Pachulski Stang Ziehl & Jones LLP

Lugenbuhl Wheaton Peck Rankin & Hubbard

McDermott Will & Emery LLP

Axin, Veltrop & Harkrider LLP

FTI Consulting, Inc.

Raymond James & Associates, Inc.

Young Moore and Henderson, P.A.

Akerman LLP

Gable & Gotwals, P.C.

Province LLC